

ZONING AND ADJUSTMENT BOARD

August 17, 2009

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, August 17, 2009, at 6:30 pm with the following members present: Larry Story-Chairman, Frank Topping-Vice-Chairman, Ron Berry, Dossie Singleton, Brad Sheppard, Nathan Yoder, Marge Thies, Richard Cole, Bob Hunt and Woody Hill.

Members Frank Szczepanski, Jessica Garner, and Bailey Cassels were absent.

Brad Cornelius, Planning Manager, and Sarah Gill, Recording Secretary, were present. Derrill McAteer, Zoning and Adjustment Board Attorney, was also present.

Chairman Larry Story called the meeting to order.

Mr. Topping led the pledge of allegiance, and Mr. Hunt led the prayer.

Mr. Story presented the proof of publication.

Mr. Cole made a motion to approve the minutes from the August 3, 2009, meeting. Mr. Sheppard seconded the motion, and the motion carried.

Mr. Story requested anyone who wished to speak during the hearing be sworn in. Mrs. Gill swore in all speakers.

T2009-0022

Anna Hogue – Renew Temporary Use Permit for one year to allow a RV while residence is being constructed.

Anna Hogue, applicant, was present and requested a Temporary Use Permit for one year to allow a RV while the residence is being constructed. There were eight notices sent. Of the eight notices sent, one was returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Cornelius explained the Building Department informed him the applicant is nearing completion of construction. Therefore; Mr. Cornelius recommended the request be amended to allow the RV for six months while construction of the residence is being completed. Mr. Cornelius also stated the Sumter County Health Department approved the applicant to use a portable holding tank for wastewater disposal.

Mr. Topping made a motion to approve the Temporary Use Permit for six months for a RV while the residence is under construction and required the applicant to connect to a wastewater system approved by Environmental Health. Mr. Sheppard seconded the motion, and the motion carried.

T2009-0023

Michael Hayes & Phil Schmidt – Renew Temporary Use Permit for two years to allow a RV for security.

Diane Rackley, representative for the applicant, and James Rackley were present and requested a Temporary Use Permit for two years for a RV for security. There were five notices sent. Of the five notices sent, two were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Berry inquired as to the type of business the Rackleys have, which Mr. Rackley replied, “airboat sales and manufacturing.” Mr. Berry requested the Rackleys seek a better means of security for the future to eliminate the need for the RV. Mr. Cole asked who stays in the RV, which Mr. Rackley stated his wife and himself.

Mr. Topping made a motion to approve the Temporary Use Permit for two years for a RV for security, and required the applicant to connect to a wastewater system approved by Environmental Health. Mr. Cole seconded the motion, and the motion carried.

T2009-0024

Jimmy and Susan Carpenter – Temporary Use Permit for three years to allow a mobile home as a care receiver's residence.

Susan Carpenter, applicant, was present and requested a Temporary Use Permit for three years to allow a mobile home as a care receiver's residence. There were six notices sent. Of the six notices sent, two were returned in favor and none were returned in objection. There were no objections from the audience.

Mr. Berry questioned the relationship between the care receiver and applicant. Mrs. Carpenter stated he was her father.

Mr. Topping made a motion to approve the Temporary Use Permit for three years for a mobile home for a care receiver's residence. Mr. Cole seconded the motion, and the motion carried.

T2009-0025

Franklin Wickwire – Renew Temporary Use Permit for three years to allow a RV as a care receiver's residence.

Franklin Wickwire, applicant, was present and requested a Temporary Use Permit for three years to allow a RV as a care receiver's residence. There were eight notices sent. Of the eight notices sent, one was returned in favor and none were returned in objection.

Mr. Cole questioned the relationship between the care receiver and applicant. Franklin Wickwire stated it was his son, a disabled veteran. Mr. Wickwire stated the County had approved him to hook into a small septic tank for the RV six years ago. Mr. Cornelius stated he had discussed the septic tank situation with Mr. Wickwire and the Environmental Health Department must approve the use of the wastewater disposal.

Mr. Topping made a motion to approve the Temporary Use Permit for three years for a RV for a care receiver's residence and required the applicant to connect to a wastewater system approved by Environmental Health. Mr. Cole seconded the motion, and the motion carried.

S2009-0010

The Heart of Florida Girl Scout Council – Request a Special Use Permit to allow excavation of peat from an 84 acre pond for pond restoration

Jeff Schaffer Weaver Boos Consultants, representative for the applicant, Michael Lange were present and requested a Special Use Permit to allow excavation of peat from an 84 acre pond for pond restoration. There were 82 notices sent. Of the 82 notices sent, four were returned in objection and nine were returned in favor.

Mr. Cole questioned whether the applicants were agreeable to the conditions in the staff report. Mr. Schaffer stated the conditions were acceptable.

Mr. Topping asked whether Black Gold stockpiles outside of the tree line, which would make it visible to adjoining property owners. Mr. Schaffer stated very little stockpiling will be done and will be contained within the tree canopy. Mr. Story requested a description of the excavation process. Mr. Schaffer stated the pond will be de-watered in sections close to the peat level, and then peat excavated. When de-watering, the water is relocated within the pond. Mr. Schaffer stated there is 10-15 years of mineable peat; however, their mining plan is for five years of mining. Michael Lange stated the excavation is done with an excavator and a tractor with a pan.

Mr. Cole questioned what the property would look like after completion of the project. Mr. Schaffer replied the project area would be restored to a wetlands system within 18 inches to four feet deep in water. Exotic wetlands will be removed and replaced with native vegetation. The site will be monitored by the Florida Department of Environmental Protection (FDEP) for three years after it is stabilized. Mr. Cornelius stated the reclamation must be consistent with the current and future use of the site as part of the Girl Scout camp.

Mr. Topping questioned what would happen if the project was not completed. Mr. Schaffer stated FDEP requires the project to be bonded. Black Gold Composting Company has an agreement with the Heart of Florida Girl Scout Council for this project.

Barbara Hall, audience member, explained her concerns regarding the effects the excavation could have on ground water quality, existing springs within the pond, roads (truck traffic), and air (odor).

Mr. Schaffer stated all of the peat is not removed from the site in order to protect the re-growth of wetlands. There are staff gauges currently onsite to monitor the water table for The Villages. There will also be six piezometers (monitoring well used to measure groundwater levels) placed around the mining area. The piezometers will be monitored monthly by FDEP and reports sent to the County annually.

Mr. Story questioned how they plan to work around the springs without damaging or altering them. Mr. Schaffer stated there will be minimal excavation around the springs. The springs are located on the north and south sides of the pond. The north side of the pond is to be left natural and isn't part of the project, the south side is difficult to get to and excavation will be minimal.

Mr. Cole questioned whether there would be any sulfur odors or heavy metals released from the excavation. Mr. Lange stated there are no sulfur odors or heavy metals released because peat is decayed plant material.

Mr. Cornelius explained that the proposed truck traffic is limited to haul roads identified on the plan for application. In addition, staff included conditions within the recommendation for approval that require the applicant to correct damage to county roads from their operation.

Mr. Topping made a motion to recommend approval of the Special Use Permit for peat excavation including staff's conditions to the Board of County Commissioners. Mr. Cole seconded the motion, and the motion carried.

Other Business

Mr. Story requested a correction to the August 3, 2009, minutes as follows; Mr. Topping made the motion to adjourn not Mr. Cole.

Mr. Cole made a motion to amend the August 3, 2009, minutes. Mr. Topping seconded the motion, and the motion carried

Mr. Cole made a motion to adjourn at 7:17 P.M. Mr. Topping seconded the motion, and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board